

CPYRGHT

**U.S. 'DISAPPOINTED'  
BY ACQUITTAL OF 2**

WASHINGTON, Oct. 14 (AP)

The State Department expressed "disappointment" over the acquittal of a French count and a former British Air Force pilot by a Federal District Court jury yesterday in Buffalo.

The two men, together with an Australian-born American citizen who left the country, were accused of conspiring to smuggle B-26 bombers to Portugal.

Volunteering an unusual comment on the verdict, the State Department Press Officer, Robert J. McCloskey, told a news conference that it was a "disappointment to the United States Government."

He found consolation, however, in a statement by the jury's foreman, Dr. Wallace B. Fox, who made it clear, Mr. McCloskey said, that "the jury rejected the defense allegation that the United States Government was in any way involved in the transaction."

This was a reference to the defense contention that Count Henri M. F. de Marin de Montmarin and John R. Hawke exported seven bombers to Portugal with the knowledge of the Central Intelligence Agency.

Count de Montmarin is a 58-year-old Paris airplane broker, and Mr. Hawke, 29, is a professional flier now living in Fort Lauderdale, Fla. Gregory Board, an aircraft broker, was indicted with the two defendants, but fled before his arrest.

FOIAb3b